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Patent
USSN 09/541,351
Old Atty Docket 20060
New Atty Docket VMED-40004REMARKSRejections under USC §112, first paragraph

In the Office Action dated May 6, 2010, which was made FINAL, Claims 28, 29, 31, 32, and 34 were rejected under 35 USC §112 first paragraph as failing to comply with the written description requirement. The claims are said to contain subject matter not described in the specification in such a way as to reasonable convey to one skilled in the relevant art at the time the application was filed that the inventors had possession of the claimed invention. In particular, option (d) of these claims is said to be broader in scope than what was originally disclosed.

While the Applicant does not necessarily agree with, or acquiesce to, this rejection, or to the Examiner's characterization of Applicant's Specification or the Claims as currently presented, in the spirit of cooperation and to expedite prosecution, option (d) has been deleted from Claims 28, 29 and 31. With this change, it is submitted that Claims 28, 29 and 31, and Claims 32 and 34 which depend from Claims 29 and 31, respectively, are allowable over this rejection.

Allowed Claims

Applicant appreciatively acknowledges the indication of allowable subject matter with respect to Claims 1-27. With the amendment to the claims as discussed herein, it is respectfully submitted that all claims are now in condition for allowance, and a Notice of Allowance is earnestly solicited.

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STATUS OF THE CLAIMS

Claim 1. Amended Claim
Claims 2-4. Original Claims
Claims 5 and 6 Amended Claims
Claims 7-18 Original Claims
Claim 19 Amended Claim
Claims 20-27 Original Claims
Claim 28, Amended Claim
Claim 29. New Claim
Claim 30. New Claim now cancelled
Claims 31 and 32. New Claims
Claim 33. New Claim now cancelled
Claim 34. New Claim